

**ELA TOWNSHIP BOARD MEETING  
THURSDAY  
SEPTEMBER 9, 2004  
7:30P.M.  
Village of Lake Zurich Meeting Room  
70 East Main Street, Lake Zurich, Il.  
APPROVED 11-22-04**

**1. Call to Order**

The Meeting was called to order at 6:47p.m.

**2. Board Roll Call**

Present: Supervisor Tinerella, Clerk Prouty, Trustees Black, and Burch. Knudtson and Sullivan were a few minutes late. Also present Ela Township Attorney Rob Bush and Highway Commissioner Kruckenberg.

Supervisor Tinerella's motion to enter into closed executive session for discussion of land acquisition, pending litigation, personnel and minutes, seconded by Trustee Burch. Roll Call: Supervisor Tinerella, Trustees Black, and Burch all voted aye and the motion carried 3 to 0.

**3. Pledge of Allegiance**

The meeting reconvened at 8:00 p.m. and the board led the audience in the Pledge of Allegiance.

**4. Public Comment**

Dennis Abbott a life long resident of Ela Township complimented Clerk Prouty on what a superb job she was doing as the Ela Township Clerk.

Mr. Abbott also liked what he read in the paper on Land acquisition and hoped that the board would be successful in obtaining the land.

**5. Approval of Meeting Minutes: August 25 Board Meeting and Executive Session Meeting Minutes for April 8, May 3 and 13, June 10, July 8 and August 25,2004**

Will table all the meeting minutes until the October meeting this was done because of the last two meetings being thirteen days apart (August 25<sup>th</sup> and September 9<sup>th</sup> 2004.)

**6. Approval of the Board Audit for Disbursement from 7/11-8/23 & 8/24-9/08/2004**

**Board Audit**

**Discussion:**

Supervisor Tinerella stated that last month the Township was bogged down with the bills because there was not a Finance Committee meeting before the regular Board meeting and there were a lot of questions and again she would urged the Trustees that if they have any questions please visit the office so these problems can be worked out before the meeting. Maybe when the Township starts having the Finance meeting again the audit process will go a little smoother.

Trustee Black added that she has been at the Township office many times to look at the bills and she has been told by the Supervisor that the bills are at home or they are not ready. Trustee Black talked to Nora and shared some of her problems with the Board audit.

Supervisor Tinerella stated she does not have any invoices at home.

Trustee Black replied that this is what the Supervisor told her when she asked to see some bills that she taken the folder home.

Trustee Black stated she will not approve the payroll expense of \$594.48 for several reasons. She believed that the Township office could have been staffed with the cooperation of the Supervisor, the Clerk and the Assessor and that a replacement worker was not necessary. I believe that this expense does not qualify for the \$500.00 per month emergency spending authority this Board granted the Supervisor. Even if it did, it is above the \$500.00 limit.

Trustee Sullivan had a couple of comments to answer the Supervisor about Finance Committee Meetings to audit the bills.

He could not believe that he is the Chairperson of the Finance committee that because he does not have a committee meeting and he suppose to present new ideas and things, just what does that have to do with every day functions that should be handled by the Supervisor.

Supervisor Tinerella stated that legal council said discussion of the bills before the actual public meeting was started was illegal and thus a Finance Committee was created with the intent of reviewing the bills in these meetings.

Trustee Sullivan stated that this was not the reason for the Finance Committee Meetings for the board to go through the bills. The Board goes through the bills when they have time and not at his Finance meetings.

Highway Commissioner stated that there was a payroll check to an employee who is not an employee of the bus department any more.

Trustee Burch and Sullivan said that they were okay with Will working in the Township office to keep the office open.

**Date**

**7/11-8/23/04**

	<b><u>General Town</u></b>	<b><u>General Assist</u></b>	<b><u>General Road</u></b>	<b><u>Perm Road</u></b>	<b><u>Park</u></b>
<b><u>Vendors</u></b>	<b><u>\$134,267.05</u></b>	<b><u>\$4,482.77</u></b>	<b><u>\$9,757.19</u></b>	<b><u>\$26,649.60</u></b>	<b><u>\$7,676.36</u></b>
<b><u>Payroll</u></b>	<b><u>\$85,610</u></b>	<b><u>0</u></b>	<b><u>\$435.26</u></b>	<b><u>\$24,063.09</u></b>	<b><u>0</u></b>
<b><u>Totals</u></b>	<b><u>\$219,877.92</u></b>	<b><u>\$4,482.77</u></b>	<b><u>\$10,192.45</u></b>	<b><u>\$50,712.69</u></b>	<b><u>\$7,676.36</u></b>
	<b><u>Grand Total - 8/23/04</u></b>				<b><u>\$292,942.19</u></b>

**8/24-9/09/04**

	<b><u>General Town</u></b>	<b><u>General Assist.</u></b>	<b><u>General Road</u></b>	<b><u>Perm Road</u></b>	<b><u>Park</u></b>
<b><u>Vendors</u></b>	<b><u>\$30,582.13</u></b>	<b><u>\$1,222.26</u></b>	<b><u>\$7,939.25</u></b>	<b><u>\$12,648.54</u></b>	<b><u>\$1,048.67</u></b>
<b><u>Payroll</u></b>	<b><u>\$35,954.83</u></b>	<b><u>0</u></b>	<b><u>\$160.43</u></b>	<b><u>\$6,390.25</u></b>	<b><u>0</u></b>
<b><u>Totals</u></b>	<b><u>\$66,536.96</u></b>	<b><u>\$1,122.26</u></b>	<b><u>\$8,099.68</u></b>	<b><u>\$19,038.79</u></b>	<b><u>\$1,048.67</u></b>
<b><u>Grand Total 9/08/04</u></b>					<b><u>\$95,848.36</u></b>

Supervisor Tinerella's motion to approve the Board Audits of 7/11-8/23/04 and 8/24-9/08/04, seconded by Trustee Burch. Roll Call: Supervisor Tinerella, Trustees Burch and Sullivan all voted aye. Trustees Black voted aye except for the check \$594.48. Trustee Knudtson abstained until he had time to review the audit. The motion carried 3 to 0 and one abstention.

**7. Line Item Transfers – approval of line item transfer as noted in section # 7 in the Board packet**

Supervisor Tinerella's motion to transfer \$6500.00 from line item #575 mosquito abatement to line item #5540 Omni (for their portion of the monthly maintenance charge from the YMCA., seconded by Trustee Sullivan. Roll Call: Supervisor Tinerella, Trustees Black, Burch, Knudtson and Sullivan all voted aye and the motion carried 5 to 0.

**8. Monthly Updates from Elected Officials (Township Supervisor, Clerk, Assessor, Road Commissioner and Trustees) and Department Heads (Social Worker, Senior Center, Youth Center, and Bus Service)****Supervisor's Report**

1. Supervisor Tinerella presented Will Nightengale with a plaque honoring his thirteen years of working for Ela Township and to also thank him for working at the Township office while the administrator was out on sick leave.

2. GASB34 is a new way of accounting and needs to be implemented by the time we do the April 2005 audit and the Supervisor has outlined a plan and will get together with the Highway Commissioner in the next couple of weeks and go over this plan. The Township is in good shape because in 2001 all the Township assets were put on the books and prior to that it was only the cash assets on the books. What needs to be worked on now is the value of the land and buildings and depreciating them and also value of the roads. Only have to worry about the roads which have had work done on them.

3. Three residents receiving financial assistance from the Township General Assistance program and they receive every month \$333.00 and we are finding the classic G.A. cases are persons in their late fifties and single and have no medical coverage. The Supervisor was surprised at where these persons were coming from like Long Grove and Hawthorn residents. This has also shown

the Township that the Newsletter gets the word out there to the public on what the Township has to offer on General Assistance.

4. Indian Creek Watershed has announced that they have a program called project in progress and this is a watershed tour on Thursday, September 23, at 9:00 for \$5.00. To register for this event you need to call the Village of Lincolnshire.

5. Swalco has confirmed that Avon and Grant Townships will be having their household chemical waste dates on October 9<sup>th</sup> at Avon and October 23 at Grant. Times are 8 to 2 on these dates.

6. October 23 is "Make a Difference Day." Jill Thomas of Ela Township, who is the co-leader of Brownie Troop 1231. She has contacted the Township about cleaning up the parks in the Lake Zurich area and would like to do clean up at Knox Park.

7. Supervisor just received a fax from Clarke Mosquitoes Control and they are indicating that the West Nile Virus risk is very high right now. The greatest risk period is August 1<sup>st</sup> to September 15<sup>th</sup>. The first Illinois death was just identified in Dupage County. This brings the total human case count to 22.

8. A Plat for the Schlessers farm in Hawthorn Woods is available in the Township offices if the board would like to look at it and get any comments the board back to them by September 27.

9. Youth Bus services is working very well at YMCA and averaging about ten a day and a high of thirteen.

Trustee Knudtson asked the Supervisor just how many G.A. cases has the Township had?

The Supervisor stated she would have to review her records for this number.

### **Highway Commissioner's Report – Kruckenberg**

Highway Commissioner Kruckenberg stated that the Highway Department and the Bus service was going just fine and also he didn't think that the people needed to hear a lot of hot air from politicians.

Trustee Knudtson asked the Highway Commissioner if he had reviewed the Schlessers farm plat.

The Highway Commissioner answered that he had looked at it but the Township really had very little to say about these land plats as it mostly was in the hands of Lake County.

### **Assessor's Report – Hoffman – read by Clerk Prouty**

The Assessor is unable to be at tonight's meeting due to an educational conflict.

Please keep in mind that the Assessor and the Highway Commissioner are not required to attend the regular board meetings.

The Assessor's office is still working on the 2004 values. And they hope to close the books this month. If they closed by the end of September, new assessment cards will be in the mail approximately the third week in October.

### **Clerk's Report-Prouty**

Ela Township residents can register to vote at the Township office up to and through October 5<sup>th</sup>. Absentee voting starts on October 12, 2004 at the Township Offices.

### **Committee Reports**

#### **Trustee Sullivan- Finance**

Trustee Sullivan related to the board that he has been in contact with Fran Alton about the Fairfield Cemetery. His concerns about the cemetery are that the people who have been taking care of the cemetery are unable to continue with the upkeep due to their advanced age and frail health.

Trustee Sullivan would like the Fairfield Cemetery put on the October 14<sup>th</sup>, 2004 Board meeting for discussion and possible action.

#### **Trustee Knudtson – Social Agencies**

Trustee Knudtson reminded the Board that the Social agency funding requests will be going out some time in November and we will be starting that whole process over again for next year.

#### **Trustee Burch- Parks**

Trustee Burch informed the Board that Scott Bonk's climbing wall is just about completed at the Ela Township Park and looks good.

The light that was installed at the Park is just fine and does not interfere with the baseball diamond.

#### **Trustee Black- Youth and Family Services**

The Township Social Worker, Susan Kostner, can not be here this evening because she is attending Family Violence Class at Elgin Community College. This course runs for 16 weeks and addresses domestic violence and sexual assault.

October is National Domestic Violence Awareness Month and to demonstrate our support of ending domestic violence in Ela Township, Susan will have purple ribbons available for people to wear. The purple ribbon is a national symbol in support of ending domestic violence. As a community service project, the Friday senior group will assist her in making the ribbons. Susan will distribute the ribbons from her office.

Susan plans to continue meeting with school officials and to build relationships with other groups in our community.

Once again Susan expresses her appreciation to the board for its support.

Sue Neuschel, the Senior Center Director, is not with us this evening due to an outing with the Ela Seniors.

There were 155 people who attended the Brit Beat - Beatles imitation concert at the YMCA. Five tubs of food were collected for donation to the food pantry as well as \$26 in cash. Trustee Black would like to thank the Highway Commissioner, Bill Kruckenberg for being at the concert and helping to set up and delivering the food to the pantry afterwards.

Trustee Black would also like to thank the people who helped set up the extra chairs for all the people that showed up on a Sunday evening for this fun event. There were lots of dancing and clapping by young and old. The Band was great, not only did they sound like the Beatles they looked like the Beatles!

Trustee Black also had a comment about the last Board meeting (August 25,2004):

At the August meeting of the Ela Township Board it was moved that the authority to spend up to \$500.00 per month be transferred from the Supervisor to the Clerk. The motive for that motion was questioned by the Editor of the Lake Zurich Courier. The editorial that appeared in the September 2nd issue of that paper contained two inaccuracies for which correction is necessary.

1. The Editor wrote that the Board granted the Supervisor \$500.00 per month for discretionary spending. What the board did, after the Supervisor purchased over \$10,000.00 worth of park equipment without informing the Board, was to authorize that the Supervisor could spend up to \$500.00 per month in emergency situations where prior Board approval would be impractical. The board did not write the Supervisor a monthly "blank check" to use whenever she wanted to spend Township money. The purpose was to have the ability to make an emergency purchase on behalf of the Township without requiring a meeting of the Board.

Spending \$250.00 on a junior beauty pageant contestant, which did happen, is not the type of emergency expenditure the Board had in mind when it extended this authority to the Supervisor.

2. The second inaccuracy in the editorial was that the Board approved a budget containing a \$500.00 per month discretionary spending provision for the Supervisor. As stated earlier, the authority was intended for emergency use only and it is the expectation of the Board that whatever money would be spent under this authority would be charged against the appropriate fund for which the expenditure was made. There is no line item in the budget for monthly discretionary Supervisor spending.

Trustee Black stated that in reviewing the merits of the motion made at the August meeting, it must be remembered that in July an expenditure for hiring a temporary replacement worker was questioned by the Board. During the discussion that followed, it was pointed out that a prior Board had disallowed an expense for hiring a replacement worker and that the elected official who hired that replacement paid the salary for the replacement from private funds. At the July meeting the Board expressed its belief that the replacement worker was not necessary and that the Township needs could be met by coordinating schedules of the Supervisor and the Clerk along with assistance from the Assessor's staff. At the July meeting the Board voted not to authorize the payment for the replacement worker, only to find out later that the check for that expenditure had already been issued.

Despite the discussion and action of the Board at the July meeting, the Supervisor continued to hire the replacement worker and she obtained an explanation from the Township Attorney that payroll checks up to \$500.00 were covered by the Supervisor's \$500.00 per month spending

authority. In the Board Audit for August 24<sup>th</sup> through September 3rd, 2004 the replacement workers payroll check is reported to be \$594.48, an amount that exceeds the \$500 threshold.

The circumstances on which the motion was made in August to transfer spending authority to the Clerk involved a Supervisor that did not heed direction from the Board and allowed a continuing expenditure of nearly \$500.00 per month of taxpayers' money that the Board had already voted not to approve. The situation created by these circumstances resulted in a conflict of interest for the Supervisor, whose action was called into question and who was placed in the position of having to vote on something she did. This conflict can easily be avoided if the emergency spending authority is in the hands of the different elected official such as the non-voting Clerk. Moreover, the Clerk is not covered by the constraints of the Open Meetings Act which prevents the Supervisor from speaking with any other Trustee about Township matter outside a public meeting. By allowing the Clerk to have emergency spending authority she can call other Trustees in advance without fear of violating the Open Meetings Act. By transferring spending authority to the Clerk, Board opinion can be obtained before making a purchase, thereby minimizing if not eliminating the risk of having that expenditure disallowed by a subsequent vote of the Board.

The transfer of spending authority to the Clerk avoids a conflict of interest and it provides a means to keep all Board Members advised of matters without the need for a special meeting. The motion is a practical solution to a problem that improves communication among Trustees and makes Township government better. The motion had merit and still deserves to be adopted.

## **UNFINISHED BUSINESS**

### **9. Ela Township Social Worker- Discuss who we are serving, methods to track outcomes and measure program performance and effectiveness**

Supervisor Tinerella had an invitation from United Way of Lake County, that was an excellent work shop because as you know United Way funds a lot of private not for profit organizations and programs. They have a work shop where they instruct people on how to measure outcomes of programs of special services. The Supervisor suggested that Ela Township Social Worker attend this work shop and she would give her the invitation from Lake County.

The rest of this agenda item was tabled because of Ela Township Worker not being in attendance at this meeting as she was attending classes at Elgin College on Family Violence.

## **NEW BUSINESS**

### **10. Proclamation, Domestic Violence Awareness Month, October 2004**

At this time Supervisor Tinerella read Proclamation declaring the month of October Domestic Violence Awareness Month.

### **11. Tax Objections against Ela Township for tax years 2000 and 2001- consideration and possible action to settle the objections**

This item will be tabled until the Township receives more information back from the States Attorney of Lake County.

**12. Freedom of Information Requests-consideration and possible action to establish fees for copies produced in response to their request.**

The Township Attorney would get more information to the Board on pricing per copies of FOIA requests.

Supervisor Tinerella personally applauded people who took the time FOIA the Township for information.

Trustee Burch will obtain a copy of what the police department charges.

Trustee Black stated that this item was already on the August 25th Agenda so it should have been listed under "Unfinished Business" but, be that as it may, at the August 25th meeting it was requested that there be a survey of charges by other nearby government bodies. Trustee Black wanted to know if this was done?

The Township Assessor informed us that the charge in that office is \$.25 per page. Is there any reason to think that the charge should be any different?

Trustee Black would move that the rate for FOIA copies be established at \$.25 per page.

Trustee Burch's motion to establish a fee of 25 cents a copy for FOIA to be consistent with what the Assessor office charges, seconded by Trustee Black. Roll Call: Trustees Black, Burch, Knudtson and Sullivan all voted aye and the motion carried 4 to 1. Supervisor Tinerella voted nay. Trustee Burch asked the Supervisor what was her reasoning on voting nay and she replied that it costs more to process the fees than its cost.

Supervisor Tinerella answered that she applauded people who were interested in Governmental functions and that they should not be penalized with a fee for copies.

**13. Elected Officials Compensation Packages- initial discussion for all 8 elected Township officials-there is no staggering of board members**

**Discussion:**

Supervisor Tinerella stated that in looking at the minutes of past Boards on salaries there was never any mention of health plans or pension funding per month.

Supervisor Tinerella would like the Board to be clearer on the costs and to include that in the total number when setting the compensation package for any one person this should be a combination of the salary, health insurance premium, and the portion of what the Township pays for retirement with IMRF.

Health plan is about \$600.00 for a single and about \$1000 for a family.

This is another \$1200.00 compensation added to the salary.

Need to think position (job) not the specific person, because who knows who will be in the position after the election.

There are things that each elected Official must do statutorily and beyond that it is up to the person own choice. An example is like the Assessor's job - they can come and close the books in January and be done for the year. The Supervisor can work thirty minutes a day and statutorily meet her requirements.

Supervisor stated that we can't look at how the incumbent is doing their jobs but we do not know who the next incumbent is going to be. The only duties that are required by the Elected Officials are listed in the Job descriptions.

Trustee Knudtson wanted to know what her thoughts were on the salaries.

Supervisor Tinerella stated that the Board should review how Ela Township compares with the other Townships.

Supervisor Tinerella suggested evening out the ranks (on the roster of Lake County Township Salaries) across the Board for all Ela Township elected Officials by raising some and lowering others.

Trustee Knudtson stated that he thought that the Highway Commissioner goes out of his way with his job. The Assessor is a world class assessor always winning awards. The Trustees are basically volunteering their time. The only thing he would change is removing money from the Supervisor's salary and increasing the Administrator salary. Keep the rest of the salaries the same.

Trustee Sullivan stated that The Supervisor just happen to pick a year that the past Township gave a 3% raise across the board and there were years when a 5% and different percentages were given to different jobs across the board some high and some low.

Trustee Burch stated he works on the zoning board and the Boy Scouts and considered it a privilege to be on the Township Board and he is sure his family suffers a little bit.

He is not in favor of cutting anybody salary and he is not in favor of raising anybody salary. Cost of living increase and make sure the compensation stays the same.

Trustee Knudtson stated that the Clerk role be able to purchase in on the health insurance.

Trustee Black stated that this agenda item is listed as for discussion only so a vote cannot be taken. I will consider what has been said and cast my vote when the time comes.

Supervisor Tinerella stated that some of the other Townships are charging a percentage for health insurance coverage

Salaries of Elected Officials will be on the agenda at the October meeting and the Supervisor will obtain more information for the Board.

The Highway Commissioner added a better job description should be added for Ela Township.

He stated that some of Highway Commissioners on the list only have 6 miles of roads. He thinks there should be more of a job description on hours and jobs that are done.

Attorney Bush told the Highway Commissioner that maybe he should write his own job description for a possible future Highway Commissioners.

Supervisor thinks that there could be such a thing, as hourly pay and starting base pay.

Clerk Prouty wanted to know why there was nothing in the clerk's job description on handling all the absentee voting in Ela Township and voter registrations.

**14. Trustee Vacancy & Replacement for remainder of term (until April 2005)- consideration and possible action to fill one potentially vacant position due to residency issues**

This agenda item will be tabled.

**15. Fall Newsletter- consideration and possible action to approve the layout and content before it is sent to the publisher for printing.**

Waiting for the date for Special Town Meeting of the Electors on purchasing of land and would like this date included in the Fall Newsletter

Trustee Burch would like the reporters in the audience to be patient with the Board and to cooperate with the Board on getting the word out on purchasing the property and the Town meeting.

Trustee Blacked moved to approve the preliminary layout and content and that any further changes will be approved and sent to the printer by Trustee Black. At the July board meeting I handed out a policy for the newsletter and no one except the Supervisor has a problem with it. This is the policy I intend to follow for this newsletter.

The finished P.D.F. will be approved on the October 14<sup>th</sup>, 2004.

Trustee Sullivan stated that once Trustee Black approved the layout the Board can come in and initial it.

**16. Special Town Meeting-consideration and possible action to hold a special town meeting to present the Township's plan to purchase up to 60 acres of land from School District #95 for \$3,750,000 and to request voter approval to proceed with the purchase and overall development plans**

Supervisor Tinerella's motion is to direct the Ela Township Attorney to prepare on behalf of the Board a written request to be file in the office of the Township Clerk a request for Special Township meeting to consider a purchase of land from the school district and the said meeting shall be scheduled not less than fourteen and not more than forty-five days after the written request is filed and the date to be determined after communication between the Board and the Clerk on either October 12, 26, November 16<sup>th</sup>, 2004 (as it is very important that the Board all be present at the meeting.), seconded by Trustee Sullivan. Roll Call: Supervisor Tinerella, Trustees Black, Burch, Knudtson and Sullivan all voted aye and the motion carried 5 to 0.

Supervisor Tinerella's motion to move the regular Board meeting of October 14<sup>th</sup>, 2004 to October 5<sup>th</sup> or 6<sup>th</sup> depending on the Board schedules (due to the fact that Trustee Black and the Ela Township Attorneys would be absent from the October 14<sup>th</sup>, 2004 meeting), seconded by Trustee Black. Roll Call: Supervisor Tinerella, Trustees Black, Burch, Knudtson and Sullivan all voted aye and the motion carried 5 to 0.

**17. Executive Session Meeting Minutes-consideration and possible action to release all executive session minutes.**

Tabled until the October Meeting.

**18. Adjournment**

Supervisor Tinerella's motion to adjourn at 9:54 p.m., seconded by Trustee Sullivan. Roll Call: Supervisor Tinerella, Trustees Black, Burch, Knudtson and Sullivan all voted aye and the motion carried 5 to 0.

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**LUCY PROUTY ELA TOWNSHIP CLERK**